IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LYON FINANCIAL SERVICES, INC., ETC.,)
Plaintiff,)
v.)
RINKU DUTT, ETC., ET AL., Defendants,)) Civil Action No. 08-1680
v.)
BANNER PHYSICIANS CAPITAL, ET AL., Third party))
Third party Defendants.)

ORDER OF COURT

AND NOW, this 9th day of March, 2010, the Court has been advised that the last remaining defendant in the instant case, Luna Eye Centers of Greensburg, P.C., has filed for bankruptcy in the United States Bankruptcy Court for the Western District of Pennsylvania at Case No. 10-21581 and pursuant to 11 U.S.C. §362, no further action can be taken against this party at this time. Therefore, IT IS HEREBY ORDERED that the Clerk of Court mark the above captioned case closed.

Nothing contained in this order shall be considered a dismissal or disposition of this matter and, should further proceedings in it become necessary or desirable, any party may initiate it in the same manner as if this order had not been entered.

BY THE COURT:

The Honorable Gary L. Lancaster, Chief United States District Judge

cc: All counsel of record